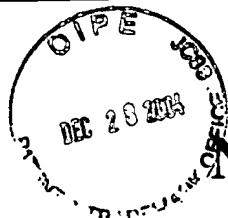


DEP 3 REF  
Room 307



TELEFAX DIVISION

# Nixon & Vanderhye P.C.

ATTORNEYS AT LAW

8TH FLOOR  
1100 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22201-4714

December 28, 2004

TELEPHONE: (703) 816-4000  
FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4028  
EMAIL: SCS@NIXONVAN.COM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Subject: **REQUEST FOR CORRECTION OF DEPOSIT ACCOUNT**

Deposit Account No. 14-1140  
Statement Date: November 2004  
Date Posted: 11/30/04  
Serial No.: 09/831,555  
Fee Code: 1402; \$340.00  
Our Ref.: 540-311

To whom it may concern:

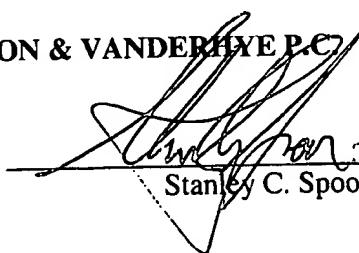
Regarding the Monthly Statement of Deposit Account dated November 2004, (copy attached), we believe there is a fee related error therein, which has resulted in charges to our Deposit Account that appears to be unwarranted. Please refer to the following explanation and advise us of your own review as soon as possible.

**\$340.00:** This charge is in error, as Applicant previously paid an Appeal Brief fee of \$330.00 on October 20, 2003, with no decision on the merits being issued by the Board of Patent Appeals and Interferences. Applicant's second Appeal Brief was filed July 29, 2004. A resubmission of the July 29, 2004 Appeal Brief was filed on November 12, 2004, in response to the Office Communication of October 19, 2004.

Accordingly, please credit Deposit Account No. 14-1140 in the amount of \$340.00 to offset this incorrect charge.

Very truly yours,

NIXON & VANDERHYE P.C.

By: 

Stanley C. Spooner, ATTORNEY-IN-FACT, DIVISION

SCS:kmm

DEC 30 2004

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O P E  
JUL 20 2004

11/22 3	10457013	980-466 HWB	1806	\$180.00	\$25,136.98
11/22 5	09768217	2739-4 HWB	1251	\$110.00	\$25,026.98
11/22 15	10929726	330-283 APL	1203	\$300.00	\$24,726.98
11/23 2	10089563	159-72 BJS	1806	\$180.00	\$24,546.98
11/23 2	10363909	1626-1 ARC	1460	\$130.00	\$24,416.98
11/23 3	10250821		9204	\$450.00	\$24,866.98
11/23 4	10250821	3557-28 BJS	1613	\$450.00	\$24,416.98
11/23 6	10923077	1035-520 HWB	8021	\$40.00	\$24,376.98
11/23 464	10392394	4062-59 LSN	8001	\$3.00	\$24,373.98
11/24 1	10221779	1035-389 FPP	1201	\$252.00	\$24,121.98
11/24 2	10642237	914-171 PTEN	1201	\$88.00	\$24,033.98 <i>see code 33</i>
11/24 3	10294762	141-365 P-292748 PTB	1806	\$180.00	\$23,853.98
11/26 2	6410019	2818-14 ARC	1460	\$130.00	\$23,723.98
11/26 2	10769755	553-80 LCM	1201	\$88.00	\$23,635.98
11/26 147	10035199	4998-P284145 PTB	1201	-\$86.00	\$23,721.98
11/26 148	10035199	P284145	1202	-\$234.00	\$23,955.98
11/29 129	10847357	839-1448 MJK	1053	\$130.00	\$23,825.98
11/30 4	09831555	540-311 SCS	1402	\$340.00	\$23,485.98
11/30 15	10288300	1767-109	1201	\$176.00	\$23,309.98 <i>see code 33</i>
11/30 16	10288300	1767-109 POF	1202	\$216.00	\$23,093.98 <i>see code 33</i>
11/30 17	10288300	1767-109	1202	\$430.00	\$22,663.98 <i>see code 34</i>
✓11/30 633	09993038		8021	\$40.00	\$22,623.98
✓11/30 634	09993241		8021	\$40.00	\$22,583.98
✓11/30 635	10206443		8021	\$40.00	\$22,543.98
✓11/30 636	10722371		8021	\$40.00	\$22,503.98
✓11/30 642	10256566		8021	\$40.00	\$22,463.98

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$17,059.98	\$17,432.00	\$22,836.00	\$22,463.98

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1402  
APR 2 2004

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AF/28-61  
Baw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. 540-311

C# M#

KUMAR

Group Art Unit: 2821

Serial No. 09/831,555

Examiner: M. Wimer

Filed: August 14, 2001

Date: November 12, 2004

Title: SCANNING OF ELECTROMAGNETIC BEAMS



**Mail Stop Appeal Brief - Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

**NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated  
of the Examiner twice/finally

rejecting claims (\$ 340.00) \$

An appeal BRIEF is attached in triplicate in the pending appeal of the  
above-identified application *Resubmitted in response  
to Office Communication  
of 10/19/04* -0- \$

Credit for fees paid in prior appeal without decision on merits -\$ ( )

A reply brief is attached in triplicate under Rule 193(b) (no fee)

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months; \$1530.00/4 months) \$  
**SUBTOTAL** \$

Applicant claims "Small entity" status, enter ½ of subtotal and subtract -\$ ( )  
 "Small entity" statement attached.

**SUBTOTAL** \$

Less month extension previously paid on -\$ ( 0.00)

**TOTAL FEE ENCLOSED** \$ -0-

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or  
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this  
firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
SCS:kmm

NIXON & VANDERHYE P.C.  
By Atty. Stanley C. Spooner, Reg. No. 27,393

Signature:

Adjustment date: 01/31/2005 SDIRETAI  
11/30/2004 CBROWN3 00000003 141140 09831555  
01 FC:1402 340.00 CR

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